

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the claims to more particularly point out that Applicant's claimed device can be operated by only one single authorized user at a time. No new matter has been added as a result of these amendments, which are supported, for example, at page 23, line 20 *et seq.*

Rejections

Rejections under 35 U.S.C. § 102(e)

Claims 1, 2, 4-6, 8, 9, 11-13, 15, 16, and 18-23

Claims 1, 2, 4-6, 8, 9, 11-13, 15, 16, and 18-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,895,558 to Loveland. Applicant does not admit that Loveland is prior art and reserves the right to challenge the reference at a later date.

Loveland discloses using a telephone to access data on a server. Referring to Figure 5, a phone connects to a network communication server 516 to authenticate the user of the phone through voice print application 526. If the user's voice matches an entry in a voice print authentication database 530, the user is logged into a domain controller 540 using credentials 536 stored in the database 520. An application proxy is created by the server 516 to automatically log the user into application servers 524 using the credentials 536.

The Examiner is equating Loveland's server 516 to Applicant's claimed device (claims 1 and 11), consumer device (claims 8 and 15), apparatus (claims 9, 13 and 21) and system (claim 12). The Examiner is equating Loveland's controller 540 to Applicant's claimed first remote source, and Loveland's application server(s) 524 to Applicant's claimed second remote source. The Examiner is equating Loveland's credentials 536 as used by the application proxy with Applicant's claimed private access information.

However, Applicant claims that the private access information is sent over a voice network to the second remote source. Loveland's application proxy transmits the user's credentials through a local area network to an application server 524. Loveland does not teach or suggest that the LAN is a voice network. In fact, Loveland only describes a wide area voice network, such as PSTN 510, that connects the phone to the network communication server 516. However, the user never transmits his/her credentials through the PSTN 510 to log onto the domain controller 540 or the application servers 524.

Furthermore, amended independent claims 1, 8, 9, 11, 12, 13, 15 and 21 claim that the device (consumer device, apparatus or system) is operable by only one authenticated user at a time. Loveland's network communication server 516 must be capable of handling multiple user connections at one time and therefore cannot be properly interpreted as anticipating Applicant's element as claimed.

Accordingly, Applicant respectfully submits that the invention claimed in claims 1, 2, 4-6, 8, 9, 11-13, 15, 16, and 18-23 is not anticipated by Loveland under 35 U.S.C. § 102(e) and respectfully requests the withdrawal of the rejection of the claims.

Rejections under 35 U.S.C. § 103

Claims 7 and 17

Claims 7 and 17 stand rejected under 35 U.S.C. § 103(a) as being obvious over Loveland in view of U.S. Patent 6,237,096 to Bisbee et al. (previously cited). Claims 7 and 17 depend from independent claims 1 and 15, respectively.

Bisbee discloses digital signing and encryption for electronic transmission, and the storage and retrieval of authenticated documents. However, Bisbee does not disclose any of the claimed elements of independent claims 1 and 15 that are missing in Loveland. Therefore, the combination cannot be properly interpreted as teaching each and every limitation of Applicant's invention as claimed in claim 7 and 17.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination of Loveland and Bisbee.

Claims 3, 10 and 14

Claims 3, 10 and 14 stand rejected under 35 U.S.C. § 103(a) as being obvious over Loveland in view of U.S. Patent 6,393,305 to Ulvinen et al. (previously cited).

Claims 3, 10 and 14 depend from independent claims 1, 9 and 13, respectively.

The Examiner has previously admitted that independent claims 1, 9 and 13, prior to the present amendments, are not anticipated by Ulvinen. Consequently, Ulvinen does not disclose any of the claimed elements that missing in Loveland. Therefore, the combination of Loveland and Ulvinen cannot be properly interpreted as teaching each and every limitation of claims 3, 10 and 14.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination of Loveland and Ulvinen.

SUMMARY

Claims 1-23 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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